

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X **Docket#**
UNITED STATES OF AMERICA, : 21-cr-00054-DG-1
:
:
- versus - : U.S. Courthouse
: Brooklyn, New York
:
DAVID GENTILE, : February 9, 2021
Defendant :
-----X

TRANSCRIPT OF CRIMINAL CAUSE FOR ARRAIGNMENT
BEFORE THE HONORABLE LOIS BLOOM
UNITED STATES MAGISTRATE JUDGE

A P P E A R A N C E S:
(VIA VIDEO CONFERENCE)

For the Government: **Seth DuCharme, Esq.**
Acting U.S. Attorney

BY: **Lauren Howard Elbert, Esq.**
Artie McConnell, Esq.
Garen S. Marshall, Esq.
Assistant U.S. Attorney
271 Cadman Plaza East
Brooklyn, New York 11201

For the Defendant: **Matthew Menchel, Esq.**
William F. McGovern, Esq.
Kobre & Kim LLP
800 Third Avenue Floor 6
New York, NY 10022

Transcription Service: **Transcriptions Plus II, Inc.**
61 Beatrice Avenue
West Islip, New York 11795
laferrara44@gmail.com

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1 THE CLERK: Criminal Cause for an Arraignment.
2 It's 21-cr-54, United States v. David Gentile.

3 Counsel, state your appearances please,
4 starting with the government.

5 MS. ELBERT: Good morning, your Honor.

6 Lauren Elbert, Artie McConnell and Garen
7 Marshal for the United States.

8 MR. MENCHEL: Good morning, your Honor.

9 Matthew Menchel and William McGovern from the
10 law firm of Kobre & Kim on behalf of Mr. David Gentile.

11 THE COURT: Good morning, Mr. Gentile.

12 The purpose of today's proceeding, sir, is to
13 make sure that you understand the nature of the charges
14 being made against you by the United States, and to make
15 sure that you understand that you have certain
16 constitutional rights.

17 First, you have the right to be represented by
18 an attorney at today's proceeding and at all future
19 proceeding before the Court and you have retained Mr.
20 Menchel and Mr. McGovern. If at any point in time, you
21 are unable to afford counsel, you may make an application
22 to the Court and the Court will appoint counsel.

23 You have the right to remain silent. If you
24 started to make a statement, you may stop. Anything you
25 say to anyone other than your attorneys can be used

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1 against you.

2 Do you understand that you have the right to
3 counsel and the right to remain silent?

4 THE DEFENDANT: I do.

5 THE COURT: Mr. Gentile, the purpose again is
6 to make sure you're aware of the charges and the grand
7 jury has returned a five-count indictment against you.

8 Have you had the opportunity to review the
9 indictment with your attorney?

10 THE DEFENDANT: I have.

11 THE COURT: Do you understand the charges that
12 are being made against you?

13 THE DEFENDANT: I do.

14 THE COURT: And Mr. Menchel, have you had the
15 opportunity to review the indictment with your client?

16 MR. MENCHEL: Yes, your Honor.

17 THE COURT: And do you believe Mr. Gentile
18 understands the charges that are being made against him?

19 MR. MENCHEL: Yes, your Honor.

20 THE COURT: And do you wish me to read the
21 indictment aloud?

22 MR. MENCHEL: No, your Honor. We waive the
23 reading of the indictment.

24 THE COURT: And is your client prepared to
25 enter a plea?

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1 MR. MENCHEL: He is, your Honor.

2 THE COURT: And the plea is?

3 MR. MENCHEL: Not guilty.

4 THE COURT: A not guilty plea shall be entered
5 on behalf of David Gentile to all counts of the
6 indictment. I have also been -- Mr. Gentile, let me back
7 up, I'm sorry.

8 Under normal circumstances, you would be in an
9 open courtroom, you would be there with your attorneys
10 and the United States Attorney would be there as well but
11 because of the pandemic, you are proceeding today by
12 video conference.

13 Do you consent to proceed today by video
14 conference, sir?

15 THE DEFENDANT: I do.

16 THE COURT: Thank you. I've been presented
17 with a couple of things, let's first go to the exclusion
18 of time. I believe that there has been an exclusion
19 entered by administrative order before Judge Mauskopf
20 left through March 1st, is that correct, Ms. Elbert?

21 MS. ELBERT: I believe that is correct, your
22 Honor, but as belt and suspenders, we also before the
23 Court a written application for an order of excludable
24 delay in view of the complexity of the case, excluding
25 time between today's date and February 16th when we're

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1 due to appear in front of Judge Gujarati and I've
2 confirmed with her clerk that Judge Gujarati did not
3 object to the imposition of an order of excludable delay
4 on the consent of the parties.

5 THE COURT: And generally speaking, Mr.
6 Gentile, if you're released on bail, you're allowed to
7 enter a paper order but because I was going to have you
8 before me, I want to make sure that you understand the
9 nature of the request and the consequences.

10 So permit me to tell you that the government
11 has seventy days under the Speedy Trial Act to commence
12 the trial against you on those charges and that seventy
13 days starts to count from the arraignment on the
14 indictment which we just entered your not guilty plea on
15 the indictment moments ago.

16 If the government does not commence the trial
17 within seventy days, your attorney can come into court
18 and ask that the charges against you be dismissed as a
19 violation of your right to a speedy trial.

20 This application is stopping the seventy-day
21 clock today, February 9th and will not restart the clock
22 until February 16th when you are going to be appearing
23 before the Honorable Diane Gujarati.

24 Do you understand this application, Mr.
25 Gentile?

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1 THE DEFENDANT: I do, your Honor.

2 THE COURT: And have you discussed this with
3 your attorney?

4 THE DEFENDANT: I have.

5 THE COURT: And do you have any questions for
6 the Court?

7 THE DEFENDANT: I do not.

8 THE COURT: And Mr. Menchel, did you review
9 this application and order with your client? You're
10 muted.

11 MR. MENCHEL: Sorry. I did, your Honor.

12 THE COURT: And do you believe he understands
13 the application and its consequences?

14 MR. MENCHEL: I do.

15 THE COURT: Then I'm going to enter this order
16 but I do think, Ms. Elbert, that if everybody is going to
17 do belt and suspenders, then what's the point of the
18 administrative order by the chief judge of the court?

19 MS. ELBERT: Understood, your Honor.

20 THE COURT: So I will enter this order and I
21 take it then that the next appearance is going to be
22 before Judge Gujarati on the 16th.

23 MS. ELBERT: That's correct, on the 16th at 11
24 a.m.

25 THE COURT: Okay. So Mr. Gentile, you were

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1 arrested in another district and then they set bail and
2 so tell me, government, what is your position on the
3 question of detention or bail?

4 MS. ELBERT: Yes, we have a bail proposal on
5 consent of the parties that would maintain Mr. Gentile's
6 release on a bond in the amount of \$500,000, to be
7 secured by the property located at 7 Plymouth Road in
8 Manhasset, New York.

9 We've agreed that defense has 14 days to file
10 the confession of judgment for that property with the
11 Court and that bond will be Mr. Gentile's wife, who I
12 understand is available for the conference today.

13 THE COURT: Thank you. And Mr. Gentile, your
14 wife is on the line, as well?

15 THE DEFENDANT: Yes, on video -- on audio,
16 correct.

17 THE COURT: And what is her first name?

18 THE DEFENDANT: Joanne.

19 THE COURT: And she is on the feed, as well?

20 THE DEFENDANT: I believe so. Yes.

21 THE COURT: So Mrs. Gentile, I'm sorry for the
22 circumstances that bring you before the Court but I am
23 going to ask for my deputy to swear you in.

24 Were there other suretors that are on this
25 phone, Ms. Elbert?

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1 MS. ELBERT: No, your Honor.

2 THE COURT: It's only Mr. Gentile and Mrs.
3 Gentile.

4 MS. ELBERT: Correct.

5 THE COURT: And the other thing, were travel
6 restrictions, is that correct, to the continental United
7 States?

8 MS. ELBERT: Yes, your Honor. And other sort
9 of conditions were that the defendant is to have no
10 contact with investors in the funds offered by GPB
11 Capital, his firm, or other potential witnesses relating
12 to the criminal prosecution and the facts underlying the
13 case and no contact with his co-defendants outside the
14 presence of counsel.

15 THE COURT: And what about travel documents?
16 It says in the pretrial report that he needs to surrender
17 all travel documents.

18 MS. ELBERT: Yes, I guess I'd ask defense
19 counsel whether they know whether he surrendered them in
20 Massachusetts? If not, he should surrender them here.

21 MR. MENCHEL: He didn't have the passport with
22 him in Massachusetts. We now have possession of the
23 passport and are prepared to turn it in.

24 THE COURT: So Mr. Gentile, you will be given a
25 receipt by pretrial services for your passport and you

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1 are not to apply for any further travel documents until
2 this case is concluded.

3 You also have to report to pretrial services as
4 directed. You will be subject to random home visits and
5 employment visits. You cannot possess any firearm,
6 destructive device or other weapon, and you must remove
7 or transfer all firearms from your residence within 72
8 hours and provide written verification to pretrial.

9 Are there weapons in your residence, Mr.
10 Gentile?

11 THE DEFENDANT: No.

12 THE COURT: Okay.

13 MR. MENCHEL: Your Honor, we have already
14 transferred those firearms.

15 THE COURT: So that was done up in
16 Massachusetts?

17 MR. MENCHEL: Well, it was ordered in
18 Massachusetts. The guns were in -- mostly in Florida and
19 I think one in New York.

20 THE COURT: But that's already been taken care
21 of?

22 MR. MENCHEL: Yes, your Honor.

23 THE COURT: Thank you.

24 So I am going to ask Mrs. Gentile to unmute her
25 microphone and I will need to ask my deputy to swear her

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1 to the truth of her testimony. Thank you.

2 MS. GENTILE: I'm on, your Honor.

3 THE CLERK: Okay. Joanne, I want to make sure
4 I have the correct spelling, it's J-O-A-N-N-E --

5 MS. GENTILE: Correct.

6 THE CLERK: -- is the first name? Okay, great.

7 MS. GENTILE: Correct.

8 THE CLERK: Okay. I need to swear you on the
9 record. So please raise your right hand.

10 J O A N N E G E N T I L E ,

11 having been first duly sworn, was examined and
12 testified as follows:

13 THE CLERK: And just state your name once
14 (audio interference).

15 MS. GENTILE: Joanne Gentile.

16 THE CLERK: Thank you.

17 THE COURT: Mrs. Gentile, as I said, I am sorry
18 for the circumstances that bring you before the Court
19 today. You are being asked to co-sign this bond which is
20 a half-a-million dollar promise that your husband, Mr.
21 Gentile, will appear whenever he is directed to appear
22 before the Court.

23 He has been indicted on a five-count federal
24 court indictment which also includes forfeiture
25 provisions and as part of the bond, there will be

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1 conditions that he has to report to pretrial services.
2 Pretrial services is not law enforcement. They're an arm
3 of the court. They are there to make sure that Mr.
4 Gentile is living up to his obligations to the court.

5 His travel is restricted. He must avoid any
6 contact with any person who may be a victim or a
7 potential witness in the investigation or prosecution.
8 So that's anybody who was an investor. How did you say
9 it, Ms. Elbert, because is GPB Capital still an ongoing
10 enterprise?

11 MS. ELBERT: It is, your Honor. The GPB
12 Capital is the management company for a series of funds
13 that, in turn, various investors invested money in. I'm
14 sure Mr. Gentile is aware of the funds in question and so
15 a restriction would be contact in any of the -- contact
16 with any of investors in any of the funds offered by GPB
17 Capital.

18 THE COURT: And --

19 MR. MENCHEL: Your Honor, I'm sorry, may I be
20 heard on that just for a moment?

21 THE COURT: Yes, Mr. Menchel.

22 MR. MENCHEL: So we had conferred with the
23 government about the actual meaning of this provision and
24 it was our understanding that a number of these folks,
25 you should understand, are close, personal friends and

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1 also work with Mr. Gentile, we presume.

2 So we had conferred with the government and
3 they were in agreement with us that there could be
4 contact with those people and discussions with them, so
5 long as they never discuss the facts of the case which
6 involve events that took place from 2015 to 2018.

7 And as I said, the government was in agreement
8 that that was okay. I want to make sure the Court is
9 okay with that, as well.

10 THE COURT: This is -- Ms. Elbert, is that
11 correct?

12 MS. ELBERT: Yes, and that was unclear in my
13 prior recitation of the condition, that's the
14 (indiscernible) no discussions involving the facts of the
15 case or the criminal prosecution.

16 THE COURT: Ms. Elbert again, something that is
17 vague is not as good as something that's specific. I
18 wouldn't want him to come back before the Court on a
19 violation when he didn't know he was violating it because
20 the terms were vague.

21 What Mr. Menchel said was something different
22 than what you just said. Mr. Menchel said that the
23 allegations in the indictment are from 2015 to 2018.
24 You're saying that he shouldn't talk to anybody about
25 anything that's part of this investigation. They don't

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1 know everything about the investigation yet. Is there a
2 temporal limit on the charges? What is that should be
3 part of this bond because again, Mrs. Gentile and Mr.
4 Gentile need to know exactly what conduct is prescribed
5 and what is permitted.

6 MS. ELBERT: Sure, your Honor. I believe the
7 way we left is the circumstances giving rise to the
8 indictment. So I mean, if you would like to attach to
9 the indictment to the bond for the temporal limitation,
10 I'm not sure what would be appropriate but I think the
11 agreement is that he shouldn't be speaking to them about
12 the facts of the case as set forth in the charging
13 document.

14 THE COURT: But Mr. Menchel is raising that he
15 works or he's close friends with a number of these
16 people. So I thought that it was going to be certain of
17 these funds were the suspect funds and those were the
18 people that he should not talk to at all. You're not
19 saying that, Ms. Elbert?

20 MS. ELBERT: No, it's not certain of the funds,
21 it's any of the funds offered by GPB Capital. Mr.
22 Gentile had stepped down as the chief executive officer
23 of GPB Capital. I don't know to what extent he's still
24 going to work but I have a difficulty imagining why he
25 would need to speak to investors about the facts of the

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1 case. I'm not sure how much more specifically to define
2 it other than the facts of the case --

3 THE COURT: Well again --

4 MS. ELBERT: -- understood that he --

5 THE COURT: -- you're saying that he cannot
6 speak to Schneider or Lash without counsel; is that
7 correct?

8 MS. ELBERT: That's correct.

9 THE COURT: And as far as the other people who
10 maybe investor or maybe victims or witnesses, you're
11 saying that he should not speak about anything that is
12 part of this prosecution.

13 MS. ELBERT: Correct.

14 THE COURT: Is that correct?

15 MS. ELBERT: Correct.

16 THE COURT: And you know, Ms. Elbert, that
17 under other circumstances, I always advise the defendant
18 that they are under a microscope and the government will
19 be in all likelihood, watching who they're meeting with
20 and who they're speaking with and so I generally say to
21 people if somebody shows up at your door, don't answer
22 and if somebody calls you on the phone, don't speak to
23 them.

24 And again, I think you're leaving it -- I don't
25 know who these people are but Mr. Menchel, are you fine

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1 with the definition that's been put on the record?

2 MR. MENCHEL: Your Honor, we are aware and
3 understand the nature of the allegations, I think with
4 sufficient clarity, that Mr. Gentile understands what
5 those parameters are. It really wouldn't -- we would
6 steer well clear of any issues related to the case, but
7 there are things that need to discuss with some of these
8 folks that have nothing to do with the allegations. I
9 think he's aware of it and we're aware of it, so we're
10 comfortable.

11 THE COURT: Okay. But Mrs. Gentile is signing
12 onto a half-a-million dollar bond as well, so I don't
13 want her to be put into a situation where she doesn't
14 know as much about the case as Mr. Gentile and she is
15 signing on this bond as well.

16 So it's not certain people, it's -- he knows
17 what the parameters and we're going to leave it at that,
18 Mr. Menchel?

19 MR. MENCHEL: Well, I thought the original
20 order required a list to be turned over as well by the
21 government. We haven't received that yet but once we get
22 the list, that in combination with the ruling, I think
23 should be sufficient.

24 THE COURT: I'm sorry, Mr. Menchel, are you
25 talking about an order that was entered in the District

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1 of Massachusetts?

2 MR. MENCHEL: Yes, and I thought there was an
3 agreement that that order would carry over to today.

4 THE COURT: And agreement between who? If I'm
5 not aware of it, then it's not part of my order.

6 MR. MENCHEL: Okay. I'm not being clear, your
7 Honor, I'm sorry. In the original order regarding the
8 prohibition of contact with victims or witnesses, there
9 was a provision requiring that the government would
10 provide a list of who those people are and today what we
11 discussed was that we were in agreement that the
12 conditions that were imposed in Boston would apply here
13 with equal force. I'm sorry if that wasn't clear.

14 THE COURT: Ms. Elbert, is that correct?

15 MS. ELBERT: Your Honor, this is the first I'm
16 hearing about the list being ordered as well. That's
17 something that we can supply. You know, we have lists of
18 all the investors in the funds. I'm sure Mr. Gentile has
19 them, as well but if they need us to supply that list,
20 we're happy to do so.

21 THE COURT: So Mr. Gentile, just so you don't
22 think that this is unusual, you were arrested in another
23 district and you were removed here but granted bail
24 there. This is a case in this district. The prosecutors
25 in this district are the ones who set the terms and there

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1 should be an agreement between the prosecutors in this
2 district and your counsel, not whoever was initially
3 setting bail in another district.

4 So again, Mr. Mitchell, perhaps there was some
5 misunderstanding but if you're appearing in the Eastern
6 District of New York on an indictment at the Eastern
7 District of New York, it would be fairly kind to the
8 presiding judge to give what your understanding is of
9 what the bail that should be approved -- all I have is
10 the pretrial services report. I don't have anything from
11 you, Mr. Menchel. I don't have anything from Ms. Elbert.
12 So I am coming into this with the indictment in hand, and
13 a pretrial services report. That's all I have.

14 MR. MENCHEL: Okay, your Honor, I understand.
15 I would've assumed that I was wrong obviously, that the
16 order that was imposed in Boston was presented to you.
17 So I apologize for that.

18 THE COURT: So again, is this something that's
19 going to be part of this bond, Ms. Elbert, or this will
20 be something that you could deal with Mr. Menchel about
21 because I want the bond to reflect exactly what the terms
22 of his release are from this court and I want to make
23 sure that Mrs. Gentile understands what she's signing
24 onto. That's the purpose --

25 MS. ELBERT: Yes.

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1 THE COURT: -- of my getting clarification on
2 these points today.

3 MS. ELBERT: Yes, I understand, your Honor and
4 I think as I understood the agreement coming into today
5 it was that Mr. Gentile was not to have contacts with any
6 investors in the GPB funds about the facts of the case.

7 I think that Mr. Gentile is well aware of who
8 was invested in his funds. I'm happy to file a list if
9 that is necessary but I think that the parties are on the
10 same page about what that would mean, that's a condition
11 that I know we've had imposed successfully in other cases
12 and I think it should be easy to comply with here.

13 THE COURT: Ms. Elbert, did you know about any
14 agreement from the Boston proceeding to supply a list of
15 names?

16 MS. ELBERT: I did not, your Honor, and I
17 apologize for that, but that wasn't communicated to me
18 but if that's something that defense counsel feels they
19 need, we can supply a list.

20 MR. MENCHEL: Your Honor, I apologize, it was
21 in the order itself and I thought the AUSA had seen it.
22 So I apologize.

23 THE COURT: Well again --

24 MR. MENCHEL: That was just a lack of
25 communications.

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1 THE COURT: -- I don't mean to belabor this
2 issue. There's an agreement to release Mr. Gentile. I'm
3 sure that he will tell you to cooperate with Ms. Elbert
4 and if there's any need for clarification like supplying
5 lists, you'll work that out.

6 As far as I'm concerned, I think Mr. Gentile
7 wants to make sure that he knows what he has to do, and
8 the number one thing you must do, Mr. Gentile, is you
9 must come back to court whenever you are directed to do
10 so, cooperate with pretrial services regarding all of
11 these, whether it's random visits to your home, or it's
12 them telling you to call, or come in person. You must
13 comply with whatever pretrial requires of you and I am
14 glad that the firearm issue is already dealt with and I
15 will say that the travel documents will be surrendered by
16 today, Mr. Menchel, is that possible or when do you need
17 to surrender the passport by?

18 MR. MENCHEL: Could we do it tomorrow, your
19 Honor, just so we can make sure we have a courier to send
20 it?

21 THE COURT: That's fine.

22 MR. MENCHEL: Thank you.

23 THE COURT: So by 2/10, and that will be on the
24 second floor at 225 Cadman Plaza, it's the courthouse.

25 MR. MENCHEL: Okay, yes.

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1 THE COURT: You don't need to write it down
2 now.

3 MR. MENCHEL: Okay.

4 THE COURT: Ms. Elbert will tell you it's
5 surrendered to pretrial services and is it Ms. Lee, are
6 you the supervisor here Ms. Lee?

7 MS. LEE: Your Honor, it's Anna Lee from
8 pretrial services. I will not be the supervising officer
9 because the office (audio interference) because Mr.
10 Gentile lives in Florida, so he will be supervised in
11 Florida. However --

12 THE COURT: Ms. Lee?

13 MS. LEE: -- (audio interference) --

14 THE COURT: Ms. Lee?

15 MS. LEE: -- (audio interference) and the
16 defendant's passport will be accepted in pretrial
17 services in the Eastern District of New York.

18 THE COURT: You were getting a lot of feedback
19 from your phone, Ms. Lee. I don't think anybody could
20 quite understand but I will interpret. He's going to be
21 supervised in Florida, so it's not as if there's going to
22 be an assigned supervisor here but your passport will be
23 surrendered here because this is the district where the
24 proceedings are against you.

25 So Mr. Menchel, you'll take care of that. I

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1 was just asking, Ms. Lee, and I'm sorry, there's just --
2 I think it's because there are so many call-ins on this
3 proceeding that we're getting a lot of feedback, Ms. Lee,
4 but if I misunderstood anything, if you can either send
5 me an email, I'm just saying that he will submit his
6 passport. You're probably going to have a courier down
7 and it will be to the second floor. Should it say
8 "Attention: Anna Lee" on it just to make sure it gets to
9 you?

10 MS. LEE: Your Honor, it's Anna Lee from
11 pretrial. I'm sorry for the feedback. I hope this works
12 better. That's fine, you can address it to Anna Lee and
13 then I'll take care of it.

14 THE COURT: Very good. I just want to make
15 sure that it does not get lost and since it's not going
16 to be Mr. Menchel handing it to somebody in the
17 courtroom, I want to make sure that it is directed to the
18 proper person.

19 Okay. So Ms. Gentile, you've heard what the
20 conditions are of the bond and the one thing I want to
21 explain to you is that you're being asked to sign the
22 document both because the hope is you have moral
23 influence over your husband but also because you own the
24 property that's being posted in Manhasset, New York.

25 So let me ask you a couple of questions, Ms.

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1 Gentile. How long have you been married?

2 MS. GENTILE: We've been married 22 years. It
3 will be 22 -- yes, 22 years.

4 THE COURT: And do you have children together?

5 MS. GENTILE: Yes, we do. We have four
6 children.

7 THE COURT: And are any of them still in the
8 home?

9 MS. GENTILE: They -- they all live with us
10 still but they're away at school.

11 THE COURT: So what's the age range, Ms.
12 Gentile?

13 MS. GENTILE: 15 to 21.

14 THE COURT: And is Manhasset the home that the
15 children have lived in with you?

16 MS. GENTILE: Yes. They've also lived with us
17 in Florida.

18 THE COURT: So you understand that if for any
19 reason Mr. Gentile doesn't live up to his obligations of
20 the Court, in addition to ruining his own life, the
21 government will have the paperwork -- Mr. Menchel is
22 going to have the papers filed in Nassau County because
23 that's where the home is located and it's called a
24 "Confession of Judgment".

25 So this is a \$500,000 bond, the house is worth

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1 more than \$500,000 but they can go after you and Mr.
2 Gentile in any order, in any combination to get the full
3 amount of the bond if for any reason Mr. Gentile does not
4 live up to his obligations to come back to court when
5 he's directed to do so. Do you understand that?

6 MS. GENTILE: I do, your Honor.

7 THE COURT: And the forfeiture allegations, Ms.
8 Elbert, do you not say anything specific property. So
9 the Manhasset property is free to post as part of this
10 bail package, I assume?

11 MS. ELBERT: Yes, your Honor.

12 MS. GENTILE: Yes.

13 THE COURT: So Mrs. Gentile, you are not
14 physically before the Court but do you authorize the
15 Court to sign your name to this bond for your husband?

16 MS. GENTILE: I do.

17 THE COURT: Very good. Then I will sign your
18 name to the bond.

19 Mr. Gentile, your attorneys will take care of a
20 good part of this but you've heard what all the
21 conditions are and that's on you, and you will be
22 supervised down in Florida, they've made arrangements for
23 that but I am required to give you the following bail
24 warnings.

25 If for any reason you don't come back to court

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1 when you're directed to do so, agents will be dispatched,
2 they will locate you. You'll be brought back to court
3 and the likelihood is you will not be released again
4 pending your trial on those charges.

5 In addition, there is a separate federal crime
6 called bail jumping. Bail jumping is punishable by up to
7 ten years in prison. Even if you are never convicted of
8 the crime for which you stand accused today, you can be
9 convicted of bail jumping.

10 Last, if you commit any crime while you're
11 released on bail, they can enhance the penalties for the
12 crime you commit because you committed the crime while
13 out on bail.

14 Do you understand those bail warnings?

15 THE DEFENDANT: I do, your Honor.

16 THE COURT: And will you come back to court
17 whenever you are directed to do so?

18 THE DEFENDANT: Yes, your Honor.

19 THE COURT: And do you understand all the other
20 conditions that have been imposed that have been set
21 forth on the record today?

22 THE DEFENDANT: I do, your Honor.

23 THE COURT: And because you are not physically
24 in the courthouse today, do you authorize me to sign your
25 name to this bond?

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1 THE DEFENDANT: I do, your Honor.

2 THE COURT: Thank you. And I likewise will
3 sign my name to this bond.

4 So was there anything else that needed to be
5 address on behalf of the United States of America with
6 respect to Mr. Gentile today?

7 MS. GENTILE: No, your Honor.

8 THE COURT: Was there anything else, Mr.
9 Menchel, that needed to be addressed on behalf of Mr.
10 Gentile today?

11 MR. MENCHEL: No, your Honor. Thank you.

12 THE COURT: And thank you all for your patience
13 and again, I apologize for the technical difficulties.
14 This matter is adjourned. Thank you.

15 (Matter Concluded)

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C E R T I F I C A T E

I, LINDA FERRARA, hereby certify that the foregoing transcript of the said proceedings is a true and accurate transcript from the electronic sound-recording of the proceedings reduced to typewriting in the above-entitled matter.

I FURTHER CERTIFY that I am not a relative or employee or attorney or counsel of any of the parties, nor a relative or employee of such attorney or counsel, or financially interested directly or indirectly in this action.

IN WITNESS WHEREOF, I hereunto set my hand this 9TH day of **February** 2021.


Linda Ferrara

AAERT CET 656

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